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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,465	08/03/2001	Clement Lau	080398.P451	7194

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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 12/09/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

7

Office Action Summary

Application No.

09/922,465

Applicant(s)

LAU ET AL.

Examiner

Cam Y T Truong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-16 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-9, 11-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz (USP 6460036) in view of Robertson (USP 6269369).

As to claims 1 and 7, Herz teaches the claimed limitations:

"identifying sets of user profiles of a plurality of user profiles" as calculating similarity between seller-submitted profiles and buyer-submitted profiles. This information shows that the system identifies seller and buyer profiles to calculate similarity. Seller and buyer are represented as users (col. 17, lines 18-21),

"each set identified according to at least one common interest among user profiles of a set" as the system for customized electronic identification of desirable objects computes the similarities between seller-submitted profiles and buyer-submitted profiles, and when two profiles match closely. Each seller or buyer profile contains seller or buyer's interest. This information indicates the system identifies two profiles, which has similar interest when two profiles match closely (col. 17, lines 18-25; col. 10, lines 1-10).

Herz does not explicitly teach the claimed limitation "and notifying other user profiles of a set when one common interest profile has an update to the common interest".

Roberson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database of each first user whom he has given permission to view the information in that data field. In another way, the personal contact manager in some situations will notify a set of users of updates made to the database 340 by another user to whom the notified set is related. Each database of each user is represented as each other user profiles. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson teaching of updating the information database of each first user when receiving a changes in second user record and notifying a set of users of updated database by another user to Herz's system in order to synchronize and maintain users' profiles.

As to claims 2 and 8, Herz discloses the claimed limitation subject matter in claims 1 and 7, except the claimed limitation "linking user profiles having at least one common interest". Roberson teaches there are linkages between individual users, thus users can view their accounts on a user by user basic. Their accounts are presented as user profiles. (col. 2, lines 40-67, col. 3, lines 1-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson's teaching of there are linkages between individual users, thus users can view their accounts on a user by user basis to Herz's system in order to allow users can view personal information of other users.

As to claims 3, Herz teaches the claimed limitation "wherein a common interest is selected from the group consisting of types of programs, genre and content of programs" as identifying selection of interest, a particular category of on-line products for review, it can be appreciated that there are certain unique sets of attributes which are pertinent to the particular product category of choice such as title of movie, list of actors, list of movie (col. 10, lines 1-30; col. 11, lines 38-39).

As to claims 4, 9 and 14, Herz does not explicitly teach the claimed limitation "wherein notifying comprises sending a message informing users of the other user profiles of the update". However, the personal contact manager in some situations will notify a set of users of updates made to the database 340 by another user to whom the notified set is related. Each database of each user is represented as each other user profiles. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson teaching of notifying a set of users of updated

database by another user to Herz's system in order to synchronize and maintain users' profiles.

As to claims 6, 11 and 16, Herz does not explicitly teach the claimed limitation "automatically updating the other user profiles with the update". Roberson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database of each first user whom he has given permission to view the information in that data field. Each database of each user is represented as each other user profiles. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

.It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson teaching of updating the information database of each first user when receiving a changes in second user record to Herz's system in order to synchronize and maintain users' profiles.

As to claim 12, Herz teaches the claimed limitations:

"a plurality of user profiles" as buyer profiles (col. 17, lines 20-22),

" the user profiles identifying at least one interest of a corresponding user" as identifying one interest, a particular category for review or purchase by a user in target profiles (col. 8, lines 52-53; col. 9, lines 60-67; col. 1-5);

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"an interest evaluation engine, the engine identifying sets of user profiles of the plurality of user profiles" as calculating similarity between seller-submitted profiles and buyer-submitted profiles. This information shows that the system identifies seller and buyer profiles to calculate similarity. Seller and buyer are represented as users. This information shows the system has included an interest evaluation engine to identify seller and buyer profiles (col. 17, lines 18-21),

, each set identified according to at least one common interest among user profiles of a set" as the system for customized electronic identification of desirable objects computes the similarities between seller-submitted profiles and buyer-submitted profiles, and when two profiles match closely. Each seller or buyer profile contains seller or buyer's interest. This information indicates the system identifies two profiles, which has similar interest when two profiles match closely (col. 17, lines 18-25; col. 10, lines 1-10).

Herz does not explicitly teach the claimed limitation "and notifying other user profiles of a set when one common interest profile has an update to the common interest".

Roberson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database of each first user whom he has given permission to view the information in that data field. In another way, the personal contact manager in some situations will notify a set of users of updates made to the database 340 by another user to whom the notified set is related. Each database of each user is represented as each

other user profiles. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson teaching of updating the information database of each first user when receiving a changes in second user record and notifying a set of users of updated database by another user to Herz's system in order to synchronize and maintain users' profiles.

As to claims 13, Herz discloses the claimed limitation subject matter in claim 12, except the claimed limitation "links establishing the sets of user profiles, the links identified according to the corresponding common interest". Roberson teaches there are linkages between individual users, thus users can view their accounts on a user by user basic. Their accounts are presented as user profiles (col. 2, lines 40-67, col. 3, lines 1-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson's teaching of there are linkages between individual users, thus users can view their accounts on a user by user basic to Herz's system in order to allow users can view personal information of other users.

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4. Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz (USP 6460036) in view of Robertson (USP 6269369) and further in view of Bolnick et al (or hereinafter "Bolnick") (US 2002/0023230).

As to claims 5, 10 and 15, Herz discloses the claimed limitation subject matter in claim 1, except the claimed limitation "each of the users of the other user profiles selecting whether the update is to occur". Bolnick teaches that a user member can log on and update a user personal profile (col. 7, lines 32-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bolnick's teaching of a user member can log on and update a user personal profile to Herz's system in order to allow any member can view and have many choices for maintaining any other records easily.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lim (USP 6574378).

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703 -605-1169). The examiner can normally be reached on Mon - Fri from 8:00AM to 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on (703-305-4393). The fax phone number for organization where this application or proceeding is assigned is (703-308-9051).

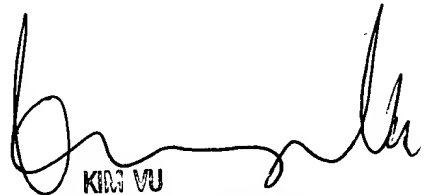
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

11/13/03



KIM VU
SUPERVISORY PATENT EXAMINER
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